



ATTORNEY DOCKET No.: 2003946-0148 (PITA/US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Agoulnik *et al.* Examiner: NYA
Serial No: 10/501,120 Group Art Unit: NYA
Filing Date: July 8, 2004
Corresp. to: PCT/US03/00390
Int. Filing Date: January 8, 2003
Earliest Priority: January 8, 2002
Title: EPONEMYCIN AND EPOXOMICIN ANALOGS AND USES THEREOF

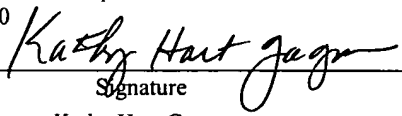
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to the Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) that was mailed by the U.S. Patent and Trademark Office on October 27, 2004 in the above-referenced application, enclosed herewith are the following:

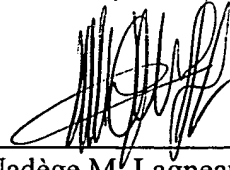
- 1) Executed Declaration (**8** pages);
- 2) Copy of Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) mailed 10/27/2004 (**2** pages);
- 3) Check in the amount of \$130.00 for Declaration surcharge (large entity); and
- 4) Return-receipt postcard.

| Certificate of Mailing | |
|--|---|
| I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 | |
| December 17, 2004 Date |  Signature |
| | Kathy Hart Gagnon Typed or Printed Name of person signing certificate |

Please charge any additional fees, if required, or credit any overpayment to Deposit Account

No. 03-1721.

Respectfully submitted,
CHOATE, HALL & STEWART



Dated: December 16, 2004

Nadège M. Lagneau, Ph.D.
Agent for Applicant
Reg. No. 51,908

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DT07 PCT/PTO 20 DEC 2004

ATTORNEY DOCKET No.: 2003946-0148 (PITA/US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Agoulnik *et al.* Examiner: NYA
Serial No: 10/501,120 Group Art Unit: NYA #6
Filing Date: July 8, 2004
Corresp. to: PCT/US03/00390
Int. Filing Date: January 8, 2003
Earliest Priority: January 8, 2002
Title: EPONEMYCIN AND EPOXOMICIN ANALOGS AND USES THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL

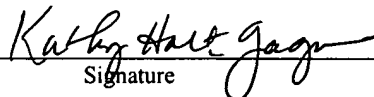
In regard to the above-referenced patent application, enclosed please find the following:

- 1) Response To Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) (2 pages);
- 2) Executed Declaration (8 pages);
- 3) Copy of Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) mailed 10/27/2004 (2 pages);
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Certificate of Mailing

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December 7, 2004
Date


Signature

Kathy Hart Gagnon

Typed or Printed Name of person signing certificate

12/27/2004 MKAYPAGH 00000131 10501120

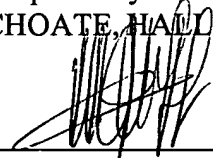
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No. 03-1721.

Respectfully submitted,
CHOATE, HALL & STEWART



Dated: December 16, 2004

Nadège M. Lagneau, Ph.D.
Agent for Applicant
Reg. No. 51,908

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PAY TO THE ORDER OF

VOID AFTER 180 DAYS

Comm of Patents & Trademarks
Alexandria, VA 22313-1450

William P. Kelly, Jr.
TWO SIGNATURES REQUIRED IN EXCESS OF \$20000

⑈ 345547 ⑈ ⑆ 011000138 ⑆ 0005422720 ⑈

Date Filed: December 17, 2004



The Patent and Trademark Office stamping sets forth filing and receipt date (or both the receipt date and the Serial Number) of the documents listed below for the patent application identified as follows:

| | | | |
|--------------------|--|-----------------|-----|
| Applicant: | Agoulnik <i>et al.</i> | Examiner: | NYA |
| Serial No: | 10/501,120 | Group Art Unit: | NYA |
| Filing Date: | July 8, 2004 | | |
| Corresp. to: | PCT/US03/00390 | | |
| Int. Filing Date: | January 8, 2003 | | |
| Earliest Priority: | January 8, 2002 | | |
| Title: | EPONEMYCIN AND EPOXOMICIN ANALOGS AND USES THEREOF | | |

- 1) Transmittal (2 pages);
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- 5) Check in the amount of \$130.00 for Declaration surcharge (large entity); and
- 6) Return-receipt postcard.

Attorney: BHJ/NML

Case No. 2003946-0148

Client Reference (PITA/US)

3777329_1.DOC



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|-----------------------|
| 10/501,120 | Sergei Agoulnik | 2003946-0148 (PTA/US) |

| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
|-------------------------------|

PCT/US03/00390

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 01/08/2003 | 01/08/2002 |

Choate Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109

CONFIRMATION NO. 3473

371 FORMALITIES LETTER



OC000000014210536

Date Mailed: 10/27/2004

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/08/2004
- Copy of the International Search Report filed on 07/08/2004
- Copy of IPE Report filed on 07/08/2004
- Preliminary Amendments filed on 07/08/2004
- Information Disclosure Statements filed on 07/08/2004
- U.S. Basic National Fees filed on 07/08/2004
- Priority Documents filed on 07/08/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 305-3661

PART 2 - OFFICE COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|-----------------------|
| 10/501,120 | PCT/US03/00390 | 2003946-0148 (PTA/US) |

FORM PCT/DO/EO/905 (371 Formalities Notice)